

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**ST. LOUIS POLICE RETIREMENT SYSTEM**, *on behalf of itself and All Others Similarly Situated and Derivatively on behalf of Nominal Defendant*  
**ABAXIS, INC.**,

Plaintiff,

vs.

**CLINTON H. SEVERSON**, *et al.*,

Defendants,

**ABAXIS, INC.**,

Nominal Defendant.

Case No.: 12-CV-5086 YGR

**ORDER TERMINATING PENDING MOTIONS TO  
DISMISS WITHOUT PREJUDICE**

Currently pending before the Court are: (1) the Motion of Director Defendants Severson, Bastiani, Casey, Evenhuis, Singh Altman And Tucker And Nominal And Company Defendant Abaxis, Inc. To Dismiss the Complaint Pursuant To F.R.C.P 12(B)(1), 12(B)(6), and (2) the Motion of Officer Defendants Severson, Santa Ines, Aron, Ostoich, Wood And Mulroy To Dismiss Count IV of the Complaint Pursuant To F.R.C.P. 12(B)(1), 12(B)(6). (Dkt. Nos. 56 and 62)

On August 14, 2013, the parties filed a Stipulation (Dkt. No. 89) seeking, among other things, to have the Court “defer ruling” on the motions pending the outcome of their mediation. The Court granted that stipulated request and set this matter for a case management conference on October 21, 2013. The Court now further orders that the pending motions are terminated without prejudice to re-noticing them after the conclusion of the mediation.

**IT IS SO ORDERED.** This order terminates Docket Nos. 56 and 62.

**Date: September 19, 2013**

  
**YVONNE GONZALEZ ROGERS**  
**UNITED STATES DISTRICT COURT JUDGE**